

**KENTUCKY COMMISSION
ON
SERVICES AND SUPPORTS
FOR INDIVIDUALS WITH INTELLECTUAL
AND OTHER DEVELOPMENTAL DISABILITIES**

**December 5, 2013
Fair Oaks, 4th Floor
Frankfort, Kentucky**

MEMBERS PRESENT

Commissioner Mary Begley
Harold Kleinert
Rep. Jimmie Lee
Chris George
Missy McKiernan
Cathy Edwards
Peter Perry
Patty Dempsey

Pat Seybold
Senator Tom Buford
Robert Ryan
Donald Putnam
James Chesser
Steve Shannon

MEMBERS ABSENT

Senator Julie Denton
David Beach
Jeffrey Rice
Melissa David

Commissioner Kissner
Anne Montgomery
Brenda Hosford
Tammie Hollar

INTRODUCTION

Commissioner Begley opened the meeting with a brief introduction.

REVIEW OF MINUTES

Minutes from the 9-5-13 meeting and the 10-14-13 special session of the HB 144 Commission regarding Michelle P Waiver were approved.

RECOGNITION

Commissioner Begley recognized Linda McAuliffe as she prepares to retire this month and thanked her for her prior service to the commission and her advocacy for the people we serve.

KY APPLICANT REGISTRY and EMPLOYMENT SCREENING (KARES)

A pilot will begin in January 2014 and volunteers were requested. Private employers can access KARES voluntarily. The first 36,000 checks will be covered by grant with the request costing only \$20. The grant is \$3 million dollars with a one million dollar state match. This will only be mandatory for department new hires and at our state facilities. Currently there are 24 states involved in this program and full functionality will be April-May 2014.

DBHDID UPDATE – SCL IMPLEMENTATION

Alice Blackwell, Assistant Director for DDID provided the update. DDID staff have presented seven sessions of SCL-2 Big Day Training with a total of 761 participants. Trainings were held on: Oct. 11th, 14th, 15th, 23rd; Nov. 15th, 20th, 22nd, 2013. January 1 is the start date to transition to SCL 2 during the individual's birth month.

Concerns were expressed about PDS since training just started and system is not fully ready. DAIL will continue to administer the PDS program. The Commission was reassured that DBHDID will do its best to make the transition go smoothly. Commissioner Begley stated a meeting is set up on January 7 with Eric Friedlander and the Department for Medicaid Services. Progress will be reported at next Commission meeting.

DMS UPDATE

DMS was not present to give a verbal update. They provided a spreadsheet with data requested on MPW approvals, denials and prior authorization of services.

SUBCOMMITTEE REPORTS

Participant Direction:

- This subcommittee meets regularly. Met with DDID for a year and now involving DAIL representatives. Both departments are working well with the group.
- The Participant Direction committee along with DAIL will design a user friendly guide to PDS services. The consensus of the committee and individuals and family felt that the guide would help people navigate the process to receive PDS. The committee researched other states, plus information available in KY to put a guide together.
- A commission member asked what happens for people who do not have natural supports.
- Transition from school to community is an issue and we now have a member on the Committee from the Dept. of Education included on the committee.
- The current public transportation system keeps people from participating in the community.
- Finding community and natural supports is also a barrier.
- There were concerns expressed on the number of people in SCL and CDO to move to PDS.

Community Integration

- November 7, 2013 forum held in Northern Kentucky with the goal of learning what Community Integration means to individuals.
- Transportation is a big barrier.
- Another issue is financial resources to participate in community activities.
- Being able to participate in activities of a person's choosing in a residential setting is an issue. Problematic if all 3 people in a staffed residence want to go to different activities.
- Transition from school to adulthood can present problems.
- Another barrier is transportation through Medicaid while there is a car in the driveway.

It was noted a representative from the Department of Education is missing from Commission discussions. Senator Buford asked that Commissioner Begley invite a representative to a future meeting and devote time to a discussion regarding transition.

Health and Wellness:

- Seven recommendations made in March 2012 with progress noted.
- A staff position will be created to be devoted to Health and Wellness. This will be partially funded by the University of Illinois at Chicago (UIC)
- Promising Practices will be developed in collaboration with DDID. This could be presented in a webinar or a customized College of Direct Support module.

Representative Lee stated KBN is filing an emergency regulation this month regarding nurse delegation. Commissioner Begley will call and express concern on behalf of the Commission.

Other Business

Pat Seybold stated she recently learned of an Autism Advisory Council and the order was signed November 7. The Commission will invite someone from the committee to discuss the legislation, the purpose of the committee, the scope of the work they will be doing and other aspects that will all the commission to understand why it exists. It was asked if HB 144 Commission and this Council can share membership. The Autism Advisory Council's purpose was to ensure that 144 was updated on the activities of the Council – also the question was asked if a member of the 144 commission could be on the council.

Member asked for agenda and minutes prior to the meeting. These will be distributed a week prior to the next meeting in March.

Members asked about submitting agenda items, they were asked to submit any suggestions to Jennifer O'Brien at least two weeks prior to the meeting.

Public Comment and Issues Identified

- PDS, concern that training was too late, not all CMs have been trained:
- Consumers request a user friend manual be developed for PDS
- How many people in PDS will enter SCL2 services in January 2014?
- Decrease in DT rate, one year extension
- Employee requirements to provide Supported Employment and Community Access-degree or experience/credentialing:

- Unfunded mandates-drug testing, med admin, HRST, SIS, area HRC/BIC, CM training, focus tool, continuing education, new forms:
- How to obtain more information about processes related to SCL 2:
- Concerns were raised regarding legislation that Kentucky Board of Nursing were going to file as a e-regulation in regards to parent's administering insulin at schools and other locations
- How long does the department have to approve or denied a request for the exceptional rate protocol? If the service is approved does the payment become retroactive to the date in which the request was made? If not, how do providers get paid for providing additional services to people in crisis situations?
- Can a waiver be solely within one department and not between two or more departments in the Cabinet?
- Request was made to receive a copy of the Advisory Council on Autism Executive Order.
- Questions were raised regarding the difference in the over 18 and under 18 age groups for September and October MPW participants.
- Senator Buford asked that Commissioner Holiday and be invited to a future meeting and devote time to a discussion regarding transition.
- A request for a list of credentials of staff conducting Level of Care determinations was made.
- It was requested that someone look into the issue of providers continually not receiving prior authorizations when a participant is in the appeals process.

MEETING AJOURNED

2014 HB 144 Commission Meetings

March 6

June 5

September 4

December 4